

February 6, 2018

VIA ELECTRONIC FILING

Jocelyn Boyd, Chief Clerk / Administrator
Public Service Commission of South Carolina
101 Executive Center Drive, Suite 100
Columbia, SC 29210

RE: Complaint and Petition for Declaratory Order of Pay Tel Communications,
Incorporated v. Lattice Incorporated
Docket No. 2017-354-C

Dear Ms. Boyd:

Enclosed please find the Answer of Lattice Incorporated to the Complaint in the above-referenced docket. A copy of the Answer is being served on the parties of record. Please contact me if there are questions concerning this filing.

Yours truly,



Frank R. Ellerbe, III

FRE:tch

Enclosure

cc w/enc: John J. Pringle, Jr., Esquire (via email)
Jenny R. Pittman, ORS Counsel (via email)
Terry Whiteside (via email)

**BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA**

DOCKET NO. 2017-354-C

IN RE:)	
)	
Pay Tel Communications, Inc.)	
)	
Complainant,)	LATTICE INCORPORATED'S
)	ANSWER TO COMPLAINT
vs.)	
)	
Lattice Incorporated,)	
)	
Respondent.)	
)	

Pursuant to the Notice issued by the Public Service Commission of South Carolina (“Commission”) on December 11, 2017, and 10 S.C. Code Ann. Regs. 103-826 and other applicable South Carolina law, Lattice Incorporated (“Lattice”) answering the Complaint of Pay Tel Communications, Inc. (“Pay Tel”) responds as follows:

1. All allegations of the complaint that are not specifically admitted in this answer are denied.
2. The allegations of paragraphs 1 through 4 of the complaint are admitted on information and belief.
3. The allegations of paragraphs 5 and 6 of the complaint are admitted.
4. The allegations of paragraphs 7 through 14 of the complaint are citations of law to which not responsive pleading is required.
5. The allegations of paragraphs 15 through 18 are admitted.
6. Answering the allegations of paragraphs 19 through 21 of the complaint, Lattice admits that, based on a misunderstanding of applicable law, in October 2017 it

entered into contracts to provide inmate service to the Union County Detention Center and the Colleton County Detention Center. At the time that it entered into those contracts Lattice intended to contract with a certificated third-party to provide service and believed that it would not be not providing telephone services in South Carolina under that arrangement.

7. Answering the allegations of paragraphs 22 through 26 of the complaint, Lattice admits that its contracts with the two detention centers would put it in violation of the statutory provisions cited in those paragraphs. Lattice would show that it is in the process of making alternative arrangements that will allow service to be provided to the two detention centers by another entity in a way that does not violate those statutory provisions. Lattice would also show that it intends to apply to the Commission for authority to provide inmate telephone services in South Carolina.
8. Answering the allegation of paragraph 27 of the complaint, Lattice opposes the grant of the declaratory relief sought therein on the grounds that Lattice has acknowledged its legal error and is in the process of rectifying its mistake by (1) arranging for a third-party to provide service to the two detention centers in compliance with the relevant statutory provisions; and (2) applying to this Commission for authority to provide inmate telephone services in South Carolina.

WHEREFORE, Lattice having fully set forth its answer to the complaint, requests that the Commission grant relief consistent with this answer.

Dated this 6th day of February, 2018.

s/Frank R. Ellerbe, III

Frank R. Ellerbe, III [SC Bar No. 1866]
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Attorneys for Lattice Incorporated

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THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA**

DOCKET NO. 2017-354-C

IN RE:)	
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Pay Tel Communications, Inc.)	
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Complainant,)	
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vs.)	
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Lattice Incorporated,)	
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Respondent.)	
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CERTIFICATE OF SERVICE

This is to certify that I, Toni C. Hawkins, a paralegal with the law firm of Sowell Gray Robinson Stepp & Laffitte, LLC, have this day caused to be served upon the person(s) named below the Answer of Lattice Incorporated in the foregoing matter via US Mail and/or electronic mail:

John J. Pringle, Jr., Esquire
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1501 Main Street, 5th Floor
Columbia, SC 29201
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Jenny Pittman, Counsel
Office of Regulatory Staff
1401 Main Street, Suite 900
Columbia, SC 29201
jpittman@regstaff.sc.gov

Dated at Columbia, South Carolina this 6th day of February, 2018.


